Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3
NATIONAL SECURITY ARCHIVE

ROUTING AND RECORD SHEET

SUBJECT: (Optional)
The National Security Archive

FROM:
Chief, Classification Review Division
322 Ames Building

EXTENSION

NO. DD/A Registry 87-1099X

DATE 27 May 1987

TO: (Officer designation, room number, and building)	DATE RECEIVED	DATE FORWARDED	OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
1. EXA/DDA 7D 10 Headquarters	28 MAY 1987	5/27		Jim - here is the material on the National Security Archive that you wanted to read and pass along to the PA Office. Judith Henchy, a representative of NSA called asking about Records Schedules that CIA must provide to NARA. I told her there was no single such schedule but many and all of them are classified. The NSA was started by Scott Armstrong and they are seeking fee waivers from various govt agencies. They are currently in court with DOD on this issue and it looks like we will be next.
2.				
STAT 3. PAO			KHP	
4.				
5.				
STAT 6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				

STAT

C/CRD

FORM 1-79 610 USE PREVIOUS EDITIONS

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

THE NATIONAL SECURITY ARCHIVE

SUITE 500 1755 MASSACHUSETTS AVENUE, N.W. WASHINGTON, D.C. 20036

David L. Sobel
Associate General Counsel

(202) 797-0882

May 11, 1987

STAT

Information & Privacy Coordinator
Office of Information Services
Central Intelligence Agency
Washington, DC 20505

Re: Pending Requests for FOIA Fee Waivers

STAT Dear

The National Security Archive has requests for fee waivers under the Freedom of Information Act ("FOIA") currently pending in your office. As you know, agency fee determinations are now governed by the provisions of the Freedom of Information Reform Act, Pub. L. 99-570, Sec. 1803, which became effective on April 25, 1987. Id., Sec. 1804.

In order to facilitate your consideration of the Archive's eligibility for fee waivers under the new fee provisions, I am enclosing a comprehensive memorandum which updates the information about the Archive previously provided to your office. The memorandum demonstrates that the Archive is entitled, at the least, to a waiver of search and review fees due to its status as an "educational institution," a "noncommercial scientific institution," and a "representative of the news media," as those terms are defined in the legislative history of the Reform Act.

I look forward to your expeditious resolution of the Archive's pending fee waiver requests.

Sincerely,

David L. Sobel

enclosure

MAY 14 2 01 '87 18.No TO 2

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

THE NATIONAL SECURITY ARCHIVE

This memorandum describes the National Security Archive (hereinafter "the Archive"), a public interest, scholarly research institute and library in Washington, D.C. The memorandum has been prepared as a single factual statement to establish the Archive's entitlement to a waiver of search and review fees under section 552(a)(4)(A) of the Freedom of Information Act ("FOIA") 5 U.S.C. 552 et seq., as amended by Pub. L. 99-570, Sec. 1803 (the Freedom of Information Reform Act).

In recent months various federal agencies, contesting the Archive's fee waiver eligibility, have propounded numerous and highly burdensome questions, requesting extensive information and documentation concerning the Archive's organizational structure, finances, future activities, and other matters. These questions appear to have been drafted by, or in consultation with, the Justice Department's Office of Information and Privacy in a concerted attempt to "chill" the Archive's constitutionally protected activities, to intimidate scholars, journalists and officials from associating with the Archive, and to prevent other federal agencies from exercising the independent authority and judgment with which they are vested under the FOIA. The questions go far beyond the information that the agencies reasonably need to make a fee waiver determination and far beyond the degree of information ordinarily sought from other public interest organizations requesting fee waivers.

The information contained in this memorandum is more than sufficient to demonstrate that the Archive is entitled to fee waivers under the FOIA. In submitting this factual statement, the Archive in no way concedes the legal relevance or legitimacy of the agencies' particular questions.

OVERVIEW

The Archive is a nonprofit, public interest, scholarly research institute with offices and a library facility at 1755 Massachusetts Avenue, N.W. (the Brookings Institution Annex), Washington, D.C. The Archive's purpose is to make available to scholars, journalists, congressional staffs, present and former public officials, other public interest organizations and the general public comprehensive government documentation pertaining to important, mostly contemporary, issues of major public concern in the areas of foreign, defense, intelligence, and international economic policy.

The records in the Archive's collection, all of which are unclassified or declassified, are obtained from various sources, including government reports, donated record holdings, congressional reports and testimony, official court records and, of course, documents released to the Archive under the FOIA and the mandatory declassification review process. The records assembled by the Archive are carefully organized into document "sets" covering discrete subject matter areas, each set consisting of approximately 10,000 pages. To facilitate user access to documents, the Archive's primary activity is the creation of detailed cross-referenced indices, other finding aids, and a sophisticated computerized retrieval system. In all of these activities the Archive works closely with academic and other experts (such as former officials) who have conducted, or are conducting, research in the topic areas covering particular document sets.

The Archive charges no fees for use of its record collections. Anyone is free to peruse the Archive's materials without charge. The same is true with respect to staff

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

assistance in the location of particular documents and the use of the computerized retrieval system. Users may copy Archive documents at a cost that is well below similar charges assessed by federal agencies. The Archive intends to maximize the dissemination of Archive materials by publishing the indices and accompanying document sets for distribution to university and other research libraries, as well as independent scholars, congressional committees and the media.

As this brief summary describes, the Archive's activities are designed exclusively to benefit the general public. By assembling and organizing voluminous government documentation from diverse sources and locations in a single place, the Archive greatly facilitates journalistic and scholarly research. By permitting the study of the evolution of government decisionmaking in its full and accurate historical context, the Archive significantly enriches and informs public debate regarding national security issues of paramount importance and of current interest to the public.

CREATION OF THE ARCHIVE'S DOCUMENT COLLECTION

To place the Archive's activities in a more concrete context, it may be useful to describe the organization's plans concerning specific document sets. At the present time numerous document sets relating to a variety of subject matter areas are in various stages of production.[1]

While future plans are subject to change, the Archive also intends to create document sets in additional subject matter areas in which the Archive has already received an expression of interest from its advisory board or review panels.[2]

The creation of a document set for the Archive's collection is a multi-step and specialized process which requires the direct involvement of acknowledged experts in the relevant subject area. Once the decision has been made to go forward with a particular document set, project personnel individually selected for their educational and professional expertise and operating as a team, prepare a detailed chronology of events pertaining to the set, and familiarize themselves with published and unpublished research as well as ongoing research in the area. They then determine what government documentation is already publicly available and where by consulting the Library of Congress, specialized research libraries, public agencies, congressional committees, scholars and former officials. These university-based scholars, present and former government officials, journalists, representatives of public interest organizations, and congressional offices and committee staff personnel are particularly helpful in establishing a high degree of interest in the materials sought and in assessing that these materials have not been previously released. If the subject matter in question is historical in nature, they consult in addition the Foreign Relations of the United States series, and the National Archives and Records Administration. They identify the government documentation which remains to be released and in what order of priority it should be released under a FOIA or mandatory declassification review. The research team then requests in order of priority those materials which will most significantly contribute to the public understanding of agency operations, procedures, policies and internal deliberations. This information is indexed on a computer retrieval system which is the only available database -public or private - on what has been previously released to the public. No less expertise is required in the organizing of the records, the entry of data into the computerized retrieval system, and the creation of the document index and finding aids.

---

[1] See Attachment A: National Security Archive Current Projects.

[2] See Attachment B: National Security Archive Pending Projects.

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Hundreds of scholars and experts are already working with the Archive in one or more of these areas and many more have expressed a willingness to provide such assistance.[3]

These functions are also provided by persons who are hired as regular Archive employees or retained as consultants for selected projects. For example, the Archive has recently hired several such experts, each possessing substantial analytic and scholarly training in subject areas which cover many different document sets. These include:

(1) A Middle East scholar specializing in U.S. foreign policy and the role of secular and religious ideologies in Middle East politics. This individual holds a Ph.D. in Middle East politics, American foreign policy and comparative politics from the School of Advanced International Studies, Johns Hopkins University, and is proficient in Persian, French, Arabic, German and Turkish. Prior to joining the Archive, he taught as Associate Professor of Middle East History at the University of Tennessee, Knoxville and published four books on Iran and other Middle East countries, as well as numerous articles and book reviews in these areas.

(2) An expert in international relations from the Swedish Institute of International Affairs who has published seven books or book-length monographs dealing with world hunger, disaster relief, disarmament, third world arms sales, and military conflict in South Asia. This individual has been a consultant to the Swedish Ministry of Foreign Affairs and the International Labour Office, World Employment Programme. She has published 39 major articles in the past ten years and has taught and been a research fellow at Cornell University and the University of Sussex.

(3) An expert in international relations specializing in Latin America and in low-intensity conflict who has published four books or book-length monographs as well as 13 articles in newspapers and magazines of broad circulation in the past four years.

(4) A former senior official from the Department of Justice who previously served as the Staff Judge Advocate for the Army Intelligence Command. This individual is intimately familiar with the security classification and personnel security systems of the United States government.

(5) A former reporter and book author who has published hundreds of articles, book reviews and monographs on Arms Sales to the Third World, Saudi Arabia, Iran, Central America, on the National Security Decision-making bureaucracy, the intelligence community and on South Korea. This individual has consulted with a variety of Senate and House Committees, the General Accounting Offfice, the Congressional Research Service of the Library of Congress, the Defense Investigative Service and the Office of the Independent Counsel on a range of topics raised by inquiries by these organizations.

(6) A graduate of the Institute of Latin American Studies at the University of Texas who specializes in Central America and the Andes and has carried out extensive field work in these areas under the auspices of the Inter-American Foundation.

(7) A professional librarian and specialist in Southeast Asian studies who was formerly at the Institute of Southeast Asian Studies in Singapore and is the author of an extensive bibliography on Laos.

---

[3] See Attachment C: National Security Archive Advisory Board, and Attachment G: National Security Archive Public Dissemination to Scholars and Experts.

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

(8) An economist with 16 years of experience working on China in the CIA. He is familiar with the intelligence community, its processes and publications. His publications include monographs and articles on the Chinese economy.

(9) A documentary television maker, cameraperson and television technician who has traveled throughout the world on behalf of network and independent broadcasters. His credits include award winning documentaries specializing in diplomatic, military and economic history that have appeared in the United States and abroad. He has been acknowledged for his contribution to scores of books and documentary films.

(10) A specialist on information resources about the military and national security issues, with a broad knowledge of audio-visual media on the arms race. He has previously worked in the film industry in New York and as Senior Research Librarian at the Center for Defense Information.

(11) A graduate of Johns Hopkins School of Advanced International Studies who has specialized in Soviet and Middle East studies, who is awaiting appointment to a federal agency's professional service and has authored a book relating to the Iran-Contra affair.

(12) A graduate of Johns Hopkins School of Advanced International Studies who has specialized in Cuban studies and has edited a book on Cuba and written and contributed to numerous scholarly articles and books on Central America.

(13) A former high-ranking career employee of an intelligence agency and the Department of Defense who has written numerous articles and books regarding the Soviet military, intelligence technology, European defense issues, Southwest Asia military and political developments, and rapid deployment issues.

ARCHIVE ORGANIZATION AND TAX STATUS

The Archive is a nonprofit organization which operates as one of several divisions of the Fund for Peace, Inc. The Fund for Peace is a New York-based nonprofit corporation which is exempt from tax under section 501(c)(3) of the Internal Revenue Code as a public charity, not a private foundation, and which the Internal Revenue Service has determined to be "organized and operated exclusively for educational purposes."[4] As an operating division of the Fund for Peace, the Archive is fully covered by the latter organization's section 501(c)(3) exemption. All Archive employees are employees of the Fund for Peace; all Archive assets (computers, office furnishings, etc.) belong to the Fund for Peace. The Fund officers and staff administer grants received and provide all fiscal services, including accounting and auditing. The Archive's affiliation with the Fund derives from its evolution in 1985 as an outgrowth of the Washington-based Center for National Security Studies, another Fund for Peace division.

While the Archive is ultimately accountable to the Fund for Peace, its affairs are governed by an Advisory Board, the members of which comprise a cross-section of all the Archive's key constituencies except the Congress. The Chairman is John Shattuck, Vice President of Harvard University. The present membership of the Advisory Board is listed in Attachment C: National Security Archive Advisory Board.

[4] The Internal Revenue Service correspondence confirming the Fund for Peace's exempt status is submitted with this memorandum as Attachment J: Internal Revenue Classifications of THE FUND FOR PEACE, INC.

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Financial Support

Since the Archive's inception, funding for the organization's activities has come from private contributions to the Fund for Peace. Major development grants have been provided by the Ford Foundation, the John D. and Catherine T. MacArthur Foundation and the Carnegie Corporation to the Fund for Peace. Additional financial support has been furnished by other private charitable foundations, as well as such individual donors as the parent companies of Time magazine and the Wall Street Journal. A number of members of Congress have donated staff assistance and supplies. The Archive has also received invaluable in-kind assistance from several organizations, including the Congressional Quarterly, The Washington Post and the Brookings Institution. The Congressional Quarterly and the Post have provided office equipment and furniture; Brookings gave the Archive office equipment and, during the Archive's early organizational phase, heavily discounted the initial office rent.[5]

Cost Reimbursement

The Archive's extensive services, resources, and expertise are made available without charge. No fees are assessed for use of the Archive's record holdings. Researchers, scholars, government officials, members of congressional staffs and other interested persons may examine records at no cost at the Archive's offices in Washington. Persons wishing to copy documents in the Archive's collection may use the Brookings Institution's photocopying facilities at a charge (payable to the Brookings Institution, not the Archive) of approximately three cents per page -- well below the copying charges assessed by federal agencies. Users will also be given the option of copying records on their own portable photocopying equipment.

Similarly, no fees are charged for the services or equipment that the Archive makes available to assist users in their research. This includes the time of Archive staff, including the most senior staff members, who are familiar with the materials of interest to the user. This also includes assistance in the use of the Archive's computerized retrieval system, which allows a user to access individual records within a document set on the basis of search words, terms, and other variables that have been carefully designed to anticipate users' research inquiries.

Although the Archive expects that it will continue in the short term to receive financial support from private foundations, it recognizes that, over the long term, it must develop other sources of financial support that will assure the maximum dissemination of the information contained in its record collections. The Archive has been intensively exploring methods to publicize its holdings through the distribution of its highly sophisticated, cross-referenced indices along with extensive finding aids and microform copies of document sets to university and other research libraries across the country. The actual production and distribution of microform will be handled by a publishing company which specializes in library services. The Archive is currently conducting a market study and is engaged in discussions with a number of potential publishers.

The prices to be charged for these materials are not currently known; nor have any decisions been made concerning the method of sale and distribution (i.e. by subscription, individual unit sales, etc.). Nonetheless, several points must be emphasized.

1. The Archive is, and always will be, a nonprofit organization. Any charges for

[5] The Archive has no formal relationship with the Brookings Institution apart from that of landlord/tenant.

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

the published materials will be no more than necessary to recover the Archive's costs of creating and producing them. It is unlikely that the proceeds generated by distribution of sets to institutions, libraries and individuals will ever be sufficient to cover all of these out-of-pocket costs. We note that fee waivers are granted as a matter of course -- and properly so -- to major newspapers, magazines, television networks and similar requesters, despite the fact that documents they obtain under the FOIA are used to further business activities undertaken for profit. If the for-profit nature of these requesters does not disqualify them from fee waivers, the Archive's eligibility for fee waivers certainly should not be questioned because, operating on a strictly not-for-profit basis, it seeks to recover part of its costs.

2. Fees charged to research libraries will be attributable primarily to the Archive's specialized indices and finding aids, not to the document sets themselves. This reflects the fact that the great bulk of the Archive's own time and effort in the creation of its archival services is attributable to these indices, which permit cross-referencing and retrieval of documents by subject matter, dates, time, names, events, origin, destination and a variety of other variables designed to facilitate research. These indices and finding aids will also be extensively annotated, a time-consuming process which requires substantial expertise in the subject matter covered by the relevant documents.[6]

3. Document sets will not consist exclusively of materials released to the Archive pursuant to FOIA requests. As stated earlier, other sources for records include congressional reports and hearing transcripts, daily White House, State Department and Pentagon press briefings, various government publications, public statements by U.S. officials, court records, oral histories and other records donated to the Archive. In some document sets, records furnished to the Archive under the FOIA may represent only a small percentage of the total; in other cases such materials will represent a larger proportion.

4. The Archive's specialized services in no way duplicate services currently provided by the government. Although one or two of the national security agencies maintain public reading rooms which house some small percentage of previously released documents, this limited resource is not even remotely comparable to the Archive's offerings. The document collections at these agencies do not contain related records released by other agencies or documents made public through means other than the FOIA; they are not organized in formats that facilitate the tracking of government decisionmaking or other research inquiries; they are not analyzed and annotated; and they are not accompanied by a comprehensive and cross-referenced index. The Archive's services are fundamentally different from anything currently available to the public -- or, for that matter, to government officials.

5. Other Archive products such as specialized chronologies available in paperback, electronic disk or Velobind Xeroxed versions have been published on a basis that only partially reimburses the Archive for the out-of-pocket costs of their production.

In sum, it is emphatically not the case, as the Justice Department has suggested, that the Archive will take government records furnished under the fee waiver provisions and then "sell" them at a profit to research libraries across the country. Documents obtained under the FOIA represent only the raw materials -- and only a portion of the

---

[6] Annotations will describe such things as: (a) the decisionmaking context in which individual records were created; (b) terms and phrases not readily understandable to many users; (c) other related documents that are not available due to agencies' FOIA exemption claims; (d) other records in the Archive's collection pertaining to the same or similar topic.

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

raw materials -- that form the basis for the Archive's highly specialized research services. Just as an author or a television producer may incorporate information from government documents into an article, book, television production or other research "product" made available to the public, so the Archive uses government records as part of the underlying data for a package of research materials and services, the creation of which represents a major investment of time, effort and scholarly expertise. The only difference is that an author or producer may hope to profit from his efforts; the Archive does not.

PUBLIC DISSEMINATION

Although the Archive is not yet fully operational, its activities have already resulted in the broad dissemination of information in its record collections concerning public policy issues of major importance. Working closely with journalists, the Archive has supplied information that has formed the basis for, or been incorporated in, articles appearing in all of the major national media organizations on a wide variety of subjects.[7]

The Archive also disseminates information to the public through its own publications. The Archive's first paperback book, The Chronology: The Documented Day-By-Day Account of the Secret Military Assistance to Iran and the Contras, has been published by Warner Books, Inc., with a first printing of 200,000 copies.[8] The Chronology is the most comprehensive compilation of information concerning the Iran-Contra affair published to date. It includes information released under the FOIA, as well as substantial portions of the reports of the Tower Commission and the Senate Select Committee on Intelligence. Hundreds of copies of earlier and later expanded versions of The Chronology have been provided to journalists and to the office of Independent Counsel Lawrence E. Walsh and the staffs of the Congressional committees investigating the Iran-Contra affair.

In many instances, persons on the Archive's staff and scholars affiliated with the Archive will publish articles relating to document sets on which they have worked or to ongoing Archive research projects. Two such articles on the Iran-Contra affair which were recently published are attached hereto as Attachment F. In addition, several major universities have agreed preliminarily to sponsor scholarly conferences organized by the Archive in connection with the release or preparation of particular document sets. One such conference took place at Hawk's Cay in Florida in conjunction with the Kennedy School of Government at Harvard on the Cuban Missile Crisis and included the living members of the ExComm. In addition, planning has begun for a series of conferences focusing on previously unreleased records in document sets concerning: (a) the Islamic revolution in Iran; (b) U.S. policy toward El Salvador; and (c) U.S. policy in the Philippines. Papers based on the Archive's documents will be presented at these conferences, and the materials themselves will be available for examination and copying. This, in turn, will lead to the publication of additional articles by the leading academics and experts in each specialized field.

Support for scholarly research has proceeded in the same way. The Archive has provided assistance to numerous historians, political scientists and other researchers who are working on books or articles concerning contemporary foreign policy and other national security issues.[9]

---

[7] See Attachment D: National Security Archive Public Dissemination to News Organizations.

[8] See Attachment E: Cover of Warner Books Edition of The Chronology.

[9] See Attachment G: National Security Archive Public Dissemination to Scholars and Experts.

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Another significant form of dissemination has been through furnishing information to members of Congress and their staffs. In response to requests from various congressional offices and committees, the Archive has provided records from its holdings and assistance in research concerning numerous subjects.[10]

In addition, the Archive staff has been asked to address or meet with a wide variety of public groups and organizations, including several offices and agencies of the federal government, regarding work in progress.[11]

As particular documents sought from government agencies are released, they are analyzed by the research team for possible inclusion in forth-coming issues of the *Journal of National Security Documentation* which will further publicize the contents and the availability of the Archive's holdings. The *Journal* is a continuation of the Fund for Peace's *From Official Files*, which has been published continuously for many years. The next issue of the *Journal* is scheduled for publication in June 1987. Also, the national news media are apprised of significant newly-released government records through direct phone contacts and wire service advisories. Reporters wishing to pursue stories based on these materials not only may examine and copy the records at the Archive's offices, but also are sent packets containing particularly relevant records contained in Archive document sets. Professional journals will be appraised of the availability of releases of particularly significant documents. Relevant congressional subcommittees and offices of members are alerted about each significant new release.

As discussed earlier, indices, finding aids and microfiche copies of the Archive's document collections, a portion of which will include FOIA materials, will be made available to persons unable to travel to Washington by disseminating them to major university and research libraries, where such materials will be available to faculty, students and other library users at no cost. Such secondary distribution will stimulate even further dissemination of this information through lectures, the publication of scholarly articles, and the incorporation of the materials into academic course curricula. With respect to this last means of dissemination, it should be noted that images of actual records contained in the Archive's microfiche document sets will be uncopyrighted and therefore not subject to legal restrictions regarding copying. At the time each index, finding aid and microfiche copy of a document collection is available, they will be publicized by direct mailing to over 2000 interested scholars, researchers and journalists.

Litigation and Other Legal Representation

Several agencies have asked whether the Archive will conduct a FOIA litigation or administrative practice on behalf of third-persons unaffiliated with the Archive. The answer is no.

The Archive's purpose is not to run a public interest law firm, but to create a library that will maximize the flow of information to the public on a variety of important defense, foreign, intelligence and international economic policy issues. Litigation brought on behalf of the Archive will consist almost exclusively of challenges to agencies' denials of records requested under the FOIA. The Archive will litigate only as a last resort. Our expectation is that, with the assistance of former government officials, scholars and others familiar with the subject matter of contested FOIA records, the Archive will be able to negotiate effectively with agencies for the release of withheld documents.

---

[10] See Attachment H: National Security Archive Dissemination to Congressional Offices.

[11] See Attachment I: National Security Archive Dissemination to Public Organizations.

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

The Archive does not intend to provide litigation services in areas, or for persons, unrelated to the Archive. Depending on the availability of resources, the Archive from time to time may handle agency appeals or file lawsuits on behalf of individual FOIA requesters. This would only be done, however, in circumstances where the Archive had determined that (1) the Archive itself needed the disputed records for its own collection, or (2) the case presented a legal issue of major importance to the Archive's continuing access to documents and use of the FOIA. In other words, the Archive's litigation or administrative support for third-parties will be limited to situations in which the Archive would have taken such action in its own name, but for the fact that the original FOIA request was filed by someone other than the Archive. In addition, the Archive occasionally will participate as *amicus curiae* in litigation presenting important issues concerning interpretation of the FOIA and other disclosure laws.

Beyond these functions, the Archive's in-house legal staff of three attorneys and the Archive's General Counsel, Joseph N. Onek of Onek, Klein and Farr, are available to provide informal advice to FOIA requesters who call the Archive with questions regarding the use of the FOIA. Such assistance includes, for example, referring the caller to the appropriate government agency, providing citations to the Code of Federal Regulations pertaining to particular agencies' FOIA procedures, suggesting types of arguments that might be made in administrative appeals of agency exemption claims, or discussing possible administrative or litigation strategy with a requester's counsel.

WHAT THE ARCHIVE IS NOT

During the past year, the Justice Department has engaged in an extraordinary disinformation campaign seeking to discredit the Archive by spreading erroneous information concerning its activities and by characterizing it as an "abuser" of the FOIA. A major focus of this campaign has been the question of the Archive's eligibility for fee waivers. Making a sham of the agencies' statutory responsibility to make their own independent determinations, the Justice Department has attempted to prejudge this issue on the basis of patently incorrect, incomplete, and fabricated information and has made clear to other agencies its position that the Archive does not qualify for fee waivers.

In the Winter 1986 issue of *FOIA Update*, a publication of the Department's Office of Information and Privacy, the Archive was labeled a "surrogate" FOIA requester. Specifically, the Archive was likened to professional requesters -- mainly for-profit enterprises -- whose function, as surrogates, is to obtain government records on behalf of anonymous third-parties. The Archive, however, is manifestly <u>not</u> such an organization. The FOIA requests of the Archive are filed for the sole purpose of obtaining records for the Archive's own collection.

While the Archive often will request records that have been brought to its attention by scholars, journalists, and congressional staffers, and while such persons (like any other member of the public) may obtain copies of records that the Archive receives, the documents so requested will be used as part of the Archive's library and research services. Because the FOIA requests will only be made following determinations that the records ought to be included in the Archive's own holdings, the Archive is not now, and will not become, a "surrogate" for hidden interests.

In an August 13, 1986 speech to the Government Executive Institute's annual symposium on the FOIA and Privacy Act, Stephen J. Markman, Assistant Attorney General for the Office of Legal Policy, characterized the Archive as a "commercial"

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

business[12] that proposes to use fee waivers under the FOIA, and its exemption from income tax, as federal "subsidies" to maximize profits. This charge is utter nonsense. As the foregoing discussion makes clear, the Archive is a purely educational and scholarly enterprise. It is not engaged in a commercial business, calculated to maximize revenues or profits, or even a business calculated to earn any profit. At best, the revenues generated from the distribution of indices and other Archive materials will help to finance those essential access dissemination activities. The Archive receives no subsidy from its tax exemption because it has no profits, and never will have profits, to tax. Any tax benefits that might accrue to persons or organizations donating funds or materials to the Archive is a matter entirely between the donor and the IRS -- it is completely irrelevant to both the Archive's activities and its entitlement to fee waivers under the FOIA.

LEGAL CONCLUSION

The discussion of the Archive set forth above leaves absolutely no doubt that the organization is entitled to fee waivers under section 552(a)(4)(A) of the FOIA, as amended by the Freedom of Information Reform Act. The Reform Act's fee provisions became effective on April 25, 1987. Pub. L. 99-570, Sec. 1804. By liberalizing the availability of waivers, the new amendments are designed to sweep away precisely the unwarranted obstacles that agencies are employing to charge fees to the Archive. Indeed, the new legislation is tailor-made to qualify the Archive for fee waivers in all cases.

The fee provisions of the Reform Act rewrite 5 U.S.C. Section 552(a)(4)(A) to create essentially two groups of requesters entitled to fee waivers. The first consists of "educational or noncommercial scientific institution[s] whose purpose is scholarly or scientific research" and representatives of the "news media." 5 U.S.C. 552 (4)(A)(ii)(II). Requesters in this group receive an automatic waiver of all search and review fees, irrespective of the nature or contents of the documents requested. They can be charged standard duplication costs (in excess of the first one hundred copied pages), but these charges may also be waived in certain circumstances.

The Archive falls squarely into this first group of preferred FOIA requesters. To begin with, the Archive qualifies as an "educational institution" whose purpose is "scholarly . . . research" and as a "noncommercial scientific institution" engaged in "scientific research" within the meaning of the amendment. The legislative history makes clear that these terms are to be liberally construed to further the pro-disclosure purposes of the FOIA. Qualifying requesters are not limited to colleges or universities, but would include all manner of research institutions that obtain records under the FOIA in connection with scholarly and educational activities. In addition, the Fund for Peace, Inc., has been acknowledged by the Internal Revenue Service since November 19, 1962 as an organization "organized and operated exclusively for educational purposes."[13]

Indeed, immediately prior to final Senate passage of the FOIA amendments, Senator Leahy, co-sponsor of the bill in the Senate, was questioned by Senator Kerry regarding the availability of fee waivers to institutional requesters that are organized as libraries or "repositories of public records" and conduct research using information obtained under the FOIA. Cong. Rec. S. 16496 (daily ed. October 15, 1986). Senator Leahy responded that such research-oriented and scholarly requesters would certainly be

[12] If by "commercial," Mr. Markman means business-like, we accept the compliment; if by "commercial" Mr. Markman means seeking to maximize sales revenue or profits, he had previously been warned that this is not the case.

[13] See Internal Revenue Service letter of November 19, 1962 in Appendix J.

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

covered by the amendments. He stated: "FOIA requesters engaged in the dissemination of information to the public -- and that of course is the primary function of libraries and repositories of public documents -- would qualify for waiver or reduction of fees under the FOIA." Ibid.

The Archive is part of the first group of FOIA requesters entitled to automatic waivers of review and search fees for the separate reason that it qualifies as a "news media" organization within the meaning of section 552(a)(4)(A)(ii)(II). This language, too, is meant to be given a broad construction so that fee waivers would extend to a wide range of requesters engaged in disseminating information. Cong. Rec. S. 14298 (daily ed. September 30, 1986) (remarks of Senator Leahy) ("It is critical that the phrase 'representative of the news media' be broadly interpreted if the act is to work as expected").

An analysis of the fee waiver amendments submitted by Congressman English and Kindness, authors of an earlier bill, H.R. 6414, on which the amendments were based, explained that Congress had deliberately refrained from defining "news media" so that the automatic fee waivers would be available not only to newspapers, broadcasters and other traditional media outlets, but also to innovative "vendors of information from agency files" such as "computerized information services" and other entities engaged in the "republication or dissemination of government information." Cong. Rec. H. 9464 (daily ed. October 8, 1986).

The analysis of Congressmen Kindness and English, which was meant to take the place of the definitive House report on the bill,[14] further clarified that public interest organizations would be entitled to fee waivers for FOIA requests filed by a magazine or other publication owned by the organization. The analysis stated that "a request for information that is sought for possible publication is still a request from the news media even though the public interest group might also want the information for other purposes." Cong. Rec. H. 9464 (daily ed. October 8, 1986). The same point was made by Senator Leahy on the Senate floor. Cong. Rec. S. 14298 (daily ed. September 30, 1986) (referring specifically to publications of Common Cause, the American Legion and other "public interest organizations").

The Archive clearly meets both of these standards. Because of its dissemination activities, the Archive qualifies as a news media organization in its own right. These activities, discussed at length in the first portion of this memorandum, include the recent publication of a major book on the Iran-Contra affair, the placement of articles in national newspapers and magazines, the issuance of news advisories, the publication of articles by Archive staff, and the distribution of indices and document sets to research libraries around the country. Moreover, the Fund for Peace continues to publish under a new name the *Journal of National Security Documentation*, previously published under the name *From Official Files*. Any records obtained by the Archive through FOIA requests are potentially the subject of reprints, excerpts, listings, indices and articles that will be published in the *Journal*.

[14] Because the FOIA amendments were attached to the Anti-Drug Abuse Act of 1986 at the last minute, no House, Senate or Conference committee reports were prepared to explain the provisions. As indicated, however, the language of the amendments was taken from a House bill, H.R. 6414, that had been reported out of the House Government Information, Justice, and Agriculture Subcommittee. Accordingly, the analysis presented by Congressmen English and Kindness, respectively the chairman and ranking minority member of the subcommittee, was presented as "explanatory materials that would have been included in a committee report." Cong. Rec. H. 9463 (daily ed. October 8, 1986) (remarks of Congressman English).

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

We have thus far discussed the first group of FOIA requesters entitled to fee waivers under the new amendments. The second group consists of any requester seeking information that "is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government." 5 U.S.C. 552(a)(4)(A)(iii). Requesters in this category must be furnished records at no cost or at a fee below the standard charges for search and reproduction, provided only that the requested information "is not primarily in the commercial interest of the requester." Ibid.

There can be no doubt that the Archive also fits into this favored group of FOIA requesters. In the first place, records requested by the Archive will invariably satisfy the "public interest" component of the section 552(a)(4)(A)(iii) test. The legislative history makes clear that the language of this provision was meant to repudiate the 1983 Justice Department fee waiver guidelines, under which requesters have frequently been required to demonstrate a direct nexus between requested records and issues of broad public concern, and the precise manner in which disclosure of the information would contribute to public understanding of those issues. Cong. Rec. S. 14298 (daily ed. September 30, 1986) (remarks of Senator Leahy); Cong. Rec. H. 9464 (daily ed. October 8, 1986) (analysis of Congressmen English and Kindness).

Under the new standard, fee waivers must be granted even if the issue to which the requested documents pertain "is not of interest to the public-at-large." Ibid. Any information "relating to the manner in which a government agency is carrying out its operations" would qualify. Ibid. Also significant for purposes of the Archive's status under the new fee waiver provision, the legislative history states explicitly that the "public interest" test is satisfied for FOIA requests seeking "historical documents and . . . information relating to foreign policy and national defense." Ibid (emphasis added).

Second, the Archive may not be characterized as a "commercial" FOIA requester for purposes of new section 552(a)(4)(A)(iii) or other aspects of the fee waiver amendments. The first part of this memorandum has already shown that, contrary to misinformation circulated by the Justice Department, the Archive is a strictly nonprofit, public interest research and archival institute whose activities advance no personal, private, or commercial interest at all. However, any doubts on this score related to the Archive's planned dissemination of published materials to university libraries are conclusively dispelled by the legislative history. Senator Leahy spoke directly to the question of distributing materials that include agency records obtained under the FOIA, stating: "The sale of documents obtained from the Government is not a commercial use." Cong. Rec. S. 14297-98 (daily ed. September 30, 1986) (emphasis added).[15]

This understanding was later confirmed on the House side by Congressmen Kindness and English. Their joint statement analyzing the fee waiver provisions explained that FOIA requests from public interest groups, libraries, and nonprofit organizations could not be viewed as commercial in nature unless the information is

[15] At several points in the legislative history Senator Hatch stated a contrary opinion, indicating that, in his view, fee waivers should not be made available to requesters engaged in the distribution or redissemination of documents obtained under the FOIA. For several reasons, however, these statements are entitled to no weight. First, they are directly and specifically rejected by the legislative history of the deliberations in the House, where, as indicated, the fee waiver legislation originated. Second, even in the Senate these opinions were contradicted on two occasions by Senator Leahy, co-sponsor of the Senate bill. And third, Senator Hatch's remarks of September 17, 1986, his only statement directed to the final version of the fee waiver changes, were inserted in the record after the Senate voted on the amendments. As a legal matter, this post hoc legislative history has no more relevance than if Senator Hatch had instead published his views on the Op Ed pages of The Washington Post.

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

sought "solely for a private, profit making purpose." Cong. Rec. H. 9463 (daily ed. October 8, 1986) (emphasis added). In language directly applicable to the Archive, the statement concluded: "The public redissemination of documents or information obtained from the government is specifically intended not to be treated as a commercial use regardless of the identity or status of the requester." Ibid (emphasis added). The legislative history thus could not be clearer with respect to the Archive: it is not a commercial requester and it does not seek government documents for commercial use.

CONCLUSION

The National Security Archive fully qualifies for waivers of fees because it is a nonprofit, public interest organization specifically devoted to scholarly research and the broad public dissemination of government materials -- precisely the type of requester that Congress has always regarded as presumptively eligible for a waiver under the statute. Any determination that the Archive is ineligible for waivers is: (1) contrary to the FOIA; (2) arbitrary and capricious; and (3) a clear abuse of agency discretion.

Under penalty of perjury, I hereby affirm that the foregoing is true and correct to the best of my knowledge and belief.

R. SCOTT ARMSTRONG
Executive Director
National Security Archive

5/11/87
Date

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Attachment A: **National Security Archive Current Projects**

1. US Presidential Logs and Meeting Records, 1969 - 1980;
2. US Secretary of State and Ranking State Department Officials, 1977 - 1986, Logs and Meeting Records;
3. US policy toward El Salvador, 1977 - 1985, the Carter & Reagan Years;
4. US policy toward El Salvador, 1952 - 1976, Eisenhower, Kennedy, Johnson, Nixon and Ford;
5. US policy toward Nicaragua, 1952 - 1976, Eisenhower - Ford;
6. US policy toward Nicaragua, 1977 - 1979, Carter - the Revolution;
7. US policy toward Nicaragua, 1980 - 1985, Post Revolution/Carter and Reagan;
8. US policy toward the Contras and Papers on the Ideological Roots of the Contras;
9. Grenada, 1977 - 1983, Pre-Invasion including both American and Grenadan documents;
10. The US Invasion of Grenada, October 1983 and Immediate Aftermath;
11. US policy toward Panama, 1952 - 1976, Eisenhower through Ford;
12. US policy toward Panama, 1977 - 1985, the Canal Negotiations and Implementation;
13. US policy toward Honduras;
14. US policy toward Cuba, 1952 - 1968, Eisenhower, Kennedy and Johnson;
15. US policy toward Cuba, 1969 - 1980, Nixon, Ford and Carter;
16. US policy toward Cuba, 1981 - 1985;
17. US policy toward Haiti, the Duvalier Regime;
18. US policy toward Chile, 1969 - 1985;
19. The Non-Aligned Movement;
20. United States Intelligence Policy Documents, Structure, Organization and Mission of Component Agencies, 1952 - 1985;
21. National Technical Means of Strategic Arms Limitation Verification;
22. The History of U.S. Military Uses of Space;
23. History of the Strategic Defense Initiative: Defensive Technology Study Team and related documents;
24. Trends in Defense Budgets by Program Element, 1960 - 1985;
25. The Defense Research and Acquisition Program Descriptions, 1960 - 1985;
26. Military Exercises, 1978 - 1985, By Region;
27. War Games and Military Simulation Models, 1970 - 1985;
28. Crisis Management and the National Command Authority: Organization, Functions, Mission, Experience and Exercises;
29. Defense Research Laboratories: Organization, Functions, Mission, History & Operations of All Labs;
30. US-USSR Mutual Balanced Force Reduction (MBFR) Talks;
31. US-USSR Nuclear Test Ban Agreement and Negotiations;
32. US Nuclear Export and Nonproliferation Policy;
33. Strategic Arms Limitations Talks (SALT), 1976 - 1980;
34. Strategic Arms Reduction Talks (START) Proposals;
35. NATO Ministerial Meetings, 1952 - 1985;
36. NATO Battlefield: Conventional Arms Strategy and Doctrine;
37. NATO Battlefield: Nuclear Arms Strategy and Doctrine;
38. British and French Nuclear Forces;
39. US policy toward Intermediate Nuclear Force Modernization (NATO/Warsaw Pact), 1977 - 1985;
40. US Strategic Nuclear Doctrine;
41. US Nuclear Materials Stockpile and Production;
42. Joint Chiefs of Staff Organization: History and Evolution;
43. World-wide Military Command and Control System (WWMCCS);

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

44. US Civil Defense Policy, 1945 - 1985;
45. Safeguard and Security of US Nuclear Weapons;
46. US and Soviet Materials on Soviet Civil Defense Policy;
47. US and Soviet Materials on Soviet Crisis Decision Making;
48. Soviet Agriculture and Grain Trade: US Sales and Sanctions;
49. Soviet Pipeline: Sanctions and Policy;
50. Soviet Energy: Data and Analysis;
51. The Soviet Economy;
52. US Soviet policy, 1952 - 1960, Eisenhower;
53. US Soviet policy, 1961 - 1968, Kennedy and Johnson;
54. US Soviet policy, 1969 - 1976, Nixon and Ford;
55. US Soviet policy, 1977 - 1980, Carter;
56. US Soviet policy, 1981 - 1985, Reagan;
57. US policy toward Saudi Arabia, Kuwait, UAE, Oman, Bahrain and the Gulf Cooperation Council, including the Southwest Asia Strategy, 1978 - 1985;
58. The Rapid Deployment Force, 1977 - 1985; the Evolution of Doctrine and Practice;
59. The Soviet Invasion of Afghanistan and US policy toward Afghanistan, 1977 - 1985;
60. Support for Afghan Guerrillas: Ideological Roots of the Guerrilla Organizations;
61. US policy toward Iran, 1952 - 1976, Eisenhower through Ford;
62. US policy toward Iran, 1977 - 1980, The Iranian Revolution and Hostage Taking;
63. US policy toward Iran and Iraq, 1981 - 1986;
64. US policy toward Libya, 1960 - 1985;
65. US policy toward South Africa through 1980;
66. US policy toward South Africa, 1981 - 1986;
67. US policy toward the Philippines, 1960 - 1976;
68. US policy toward the Philippines, 1977 - 1986;
69. US policy toward Vietnam, 1945 - 1968;
70. US policy toward Vietnam, 1969 - 1975;
71. US policy toward Vietnam, 1976 - 1986;
72. Undersea Detection: Doctrine, Systems, and Information Management;
73. US Foreign Military Sales and Assistance Expenditures, 1970 - 1985, Line Items by Country and by Region;
74. US and Soviet Materials on Soviet Foreign Military Sales and Assistance;
75. Non-Superpower Foreign Military Sales and Assistance;
76. US policy toward the International Monetary Fund and the Third World Debt Crisis, 1977 - 1985;
77. Classification, Secrecy, Pre-publication Review, Unauthorized Disclosure Issues, Studies and Procedures;
78. Special Forces: Unconventional and Low Intensity Warfare;
79. US Prepositioning of Military Equipment by Region;
80. Chemical and Biological Warfare: History and Capabilities;
81. Law of the Sea Treaty.

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Attachment B: **National Security Archive Pending Projects**

1. US policy toward Egypt, 1952 - 1976, Eisenhower through Ford;
2. US policy toward Egypt, 1977 - 1985, the Carter and Reagan Years;
3. Cruise Missiles: Design, Research, Development, Production and Deployment;
4. US Submarine Fleet: Research, Development, Production, Operations and Basing;
5. US policy toward Morocco, 1960 - 1985;
6. International Relief Organizations (International Red Cross)
7. Anti-Ballistic Missile Treaty and History of Experimental Programs;
8. US Prisoners of War and Missing in Action Personnel;
9. Soviet KGB (Komitet Gosudarstvennoy Bezopasnosti - Committee for State Security) and GRU (Glavnoye Razvedyvatelnoye Upravleniye - Chief Intelligence Directorate)
10. US policy toward Guatemala, 1952 - 1976, Eisenhower through Ford;
11. US policy toward Guatemala, 1977 - 1985, Carter and Reagan;
12. Military and Intelligence Uses of Weather Data;
13. US policy toward Israel, 1977 - 1986, the Carter and Reagan Years;
14. US policy toward Israel, 1952 - 1968, Eisenhower through Johnson;
15. US policy toward Israel, 1969 - 1976, Nixon through Ford;
16. US policy toward the Palestinian People and the Palestine Liberation Organization;
17. US Military Readiness;
18. US Raw Materials and Strategic Minerals Policy;
19. US policy toward China Arms Sales, 1977 - 1985;
20. US policy toward China, 1968 - 1976, Nixon and Ford;
21. US policy toward China, 1952 - 1967, Eisenhower, Kennedy and Johnson;
22. US Export-Import Bank: Organization and Operations;
23. US Electronic Warfare Capabilities and the Joint Electronic Warfare Group;
24. American Intelligence Collection Stations Abroad: Official Unit Descriptions, Mission Statements, and Locations;
25. Defense and Intelligence Satellite Programs: Descriptions, Mission Statements, Specifications, and Plans;
26. US Government Involvement in Commercial Exports;
27. US policies on Human Rights, 1952 - 1986 (The Country Sets listed above and below contain specific Human Rights materials for each Country);
28. Biologic Consequences of Nuclear War;
29. Atmospheric Consequences of Nuclear War;
30. US policy toward Lebanon, 1952 - 1968;
31. US policy toward Lebanon, 1969 - 1980;
32. US policy toward Lebanon, 1981 - 1985;
33. US policy toward the United Nations, 1952 - 1976;
34. US policy toward the United Nations, 1977 - 1985;
35. Multilateral Development Banks;
36. Economic Summits, 1979 - 1984, Tokyo - London;
37. US policy toward Mexico, 1952 - 1976;
38. US policy toward Mexico, 1977 - 1980;
39. US policy toward Mexico, 1981 - 1985;
40. US policy toward Ireland/Northern Ireland;
41. US International Oil and Energy Policies, 1952 - 1976;
42. US International Oil and Energy Policies, 1977 - 1980;
43. US International Oil and Energy Policies, 1981 - 1985;
44. US policy toward Mozambique;
45. US policy toward Jordan, 1952 - 1986;
46. Trident II D5 Submarine-Launched Ballistic Missiles;

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

47. US policy toward Argentina, 1952 - 1985;
48. US policy toward Brazil, 1952 - 1985;
49. US policy toward International Disaster Relief;
50. US policy toward Famine in Africa;
51. Technology Transfer, 1952 - 1985;
52. US-Japan Trade Policy, 1945 to 1985;
53. US policy toward South Korea, 1945 - 1952;
54. US policy toward South Korea, 1952 - 1976;
55. US policy toward South Korea, 1977 - 1985;
56. US policy toward Angola, 1969 - 1976;
57. US policy toward Angola, 1977 - 1986;
58. US policy toward India, 1952 - 1976;
59. US policy toward India, 1977 - 1986;
60. US policy toward Pakistan, 1952 - 1986;
61. US policy toward Taiwan, 1952 - 1968;
62. US policy toward Taiwan, 1969 - 1986;
63. US and Soviet Materials on Soviet Military Use of Space;
64. Warsaw Pact Meetings;
65. Falklands/Malvinas War;
66. US policy toward Cambodia, 1964 - 1975;
67. US policy toward Cambodia, 1976 - 1986;
68. US policy toward Laos, 1964 - 1986;
69. US policy toward Thailand, 1964 - 1986;
70. US policy toward Micronesia;
71. US policy toward Southeast Asian Nations (ASEAN);
72. US policy toward the ANZUS Pact Nations, Australia, New Zealand;
73. US policy toward Liberia, 1960 - 1986;
74. US policy toward Ghana, 1960 - 1986;
75. US policy toward Zaire, 1960 - 1986;
76. Strategic Forces: Land Based Missile Systems: Doctrine, Architecture, Research, Development, Production and Deployment;
77. Strategic Forces: Sea Based Missile Systems: Doctrine, Architecture, Research, Development, Production and Deployment;
78. Strategic Forces: Strategic Bomber Force: Doctrine, Architecture, Research, Development, Production and Deployment;
79. Strategic Forces: Ballistic Missile Reentry Vehicles;
80. Nuclear Capable Aircraft;
81. Nuclear Bombs and Nuclear Air-Launched Missiles;
82. US policy toward Turkey, 1952 - 1986;
83. US policy toward Poland, 1952 - 1986;
84. Multinational Peacekeeping Force and Observers: US and International Materials;
85. US and Terrorism: Policies, Intelligence, Response;
86. Organization of American States and the Treaty of Rio;
87. General Agreement on Tariffs and Trade: Trade and Commerce;
88. US policy toward Indonesia;
89. US policy toward Ethiopia;
90. US policy toward Sudan;
91. Soviet Submarine Fleet: Research, Development, Production, Operations and Basing;
92. US Defense Relations with Canada: Prepositioning, Basing, Facilities and Other Agreements: 1952 - 1985.

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Attachment C: National Security Archive Advisory Board

Chairman of the Advisory Board -- John Shattuck, Vice President for Government, Community and Public Affairs, Harvard University; Lecturer, Harvard Law School

Philip Brenner, Professor, American University; Chair, Advisory Board, Central America Papers Project
Anne Cahn, Executive Director, Committee for National Security
Margaret Carroll, Executive Director, Investor Responsibility Research Center, Inc.
Rosemary A. Chalk, Writer-Consultant; Former Director, Committee on Scientific Freedom and Responsibility, American Association for the Advancement of Science
John Lewis Gaddis, Professor of History, Ohio University
Morton H. Halperin, Director, Washington Office, American Civil Liberties Union
Ulric Haynes, Jr., Former Ambassador to Algeria
Akira Iriye, Stein-Freiler Distinguished Service Professor of History, University of Chicago
Catherine McArdle Kelleher, Director, National Security Program, University of Maryland
Anthony Lake, Five College Professor of International Relations, Mt. Holyoke College; Former Director, Office of Policy Planning, Department of State
Franklin A. Long, Professor of Science and Society, Professor of Chemistry, Cornell University; Former Assistant Director, Arms Control and Disarmament Agency; Chair, Committee on International Security Studies, American Academy of Arts and Sciences
Ernest R. May, Charles Warren Professor of History, Harvard University
William G. Miller, President, American Committee on US-Soviet Relations; Former Staff Director, Senate Intelligence Committee
Joseph Onek, Attorney, Onek, Klein and Farr; Former Deputy Counsel to the President
Ruth Leger Sivard, Director, World Priorities, Inc.
Walter B. Slocombe, Attorney, Caplin & Drysdale; Former Deputy Under Secretary of Defense
William Y. Smith, Gen. USAF (Ret.), Institute for Defense Analysis; Former Deputy Commander-in-Chief, U.S. European Command
John D. Steinbruner, Director, Foreign Policy Studies, The Brookings Institution
Strobe Talbott, Washington Bureau Chief, *Time* Magazine
Roger Wilkins, Senior Fellow, Institute for Policy Studies
Joan Hoff-Wilson, Executive Secretary, Organization of American Historians; Professor of History, University of Indiana

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Attachment D: **National Security Archive Public Dissemination to News Organizations**

The National Security Archive has provided background materials, research assistance, copies of documents, and information referrals at the request of the following news organizations (most of those listed have utilized the Archive's facilities and information services many times):

ABC World News Tonight
ABC Good Morning America
ABC 20/20
ABC Nightline
CBS Evening News
CBS Face the Nation
CBS 60 Minutes
CBS West 57th Street
NBC Nightly News
NBC 1986
PBS Frontline
PBS MacNeil-Lehrer Report
PBS Capitol Journal
WUSA-TV
British Broadcasting Company
Cable News Network
Canadian Broadcasting Company
In the Public Interest
Independent News Network
Monitor News Network
National Public Radio
Pacifica News Service
Panarama Television
Voice of America
Numerous network affiliates and independent radio and television stations

Associated Press
United Press International
Reuters

Anchorage Daily News
Boston Globe
Bulletin of the Atomic Scientists
Bureau of National Affairs
Center for Investigative Reporting
Chicago Tribune
Christian Science Monitor
Cleveland Plain Dealer
Evansville (Ind.) Press
Foreign Affairs
Hartford Courrant
Hearst News Service
Houston Post
InterPress
In These Times

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3

Iran Times
Knight-Ridder News Service
Legal Times
Le Monde Diplomatique
McCleans Magazine
Miami Herald
Montreal Gazette
Mother Jones Magazine
The Nation
National Journal
The New Republic
Newsday
Newsweek
The New Yorker
The New York Times
Nuclear Times
Oakland Tribune
The Daily Oklahoman
Pacific News Service
Philadelphia Inquirer
Privacy Times
Richmond Times-Dispatch
SAIS Review
San Diego Union
San Francisco Examiner
San Jose Mercury News
TIME Magazine
USA Today
US Magazine
U.S. News and World Report
The Village Voice
The Wall Street Journal
Warner Books
Warner Communications
Washington Journalism Review
Washington Monthly
The Washington Post
Washington Times

Sanitized Copy Approved for Release 2010/07/21 : CIA-RDP90-00806R000200700045-3